

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN
CJA REFERENCE MANUAL
CONTENTS

- 1 CJA 20, Appointment of and Authority to Pay Court Appointed Counsel
 - a. Introduction
 - b. Forms
 - i. CJA 20
 - ii. Worksheets, in- and out-of-court time and expenses
 - c. CJA 20 samples
 - i. CJA 20
 - ii. Worksheets
 - d. Vouchers Covering Different Hourly Reimbursement Rates
 - i. Introduction
 - ii. Attachment to CJA Voucher
 - iii. Samples
 - (1) CJA 20
 - (2) Attachment
 - e. Instructions
 - f. Checklist for Voucher Completion
 - g. Case Compensation Maximums
 - h. Case Disposition Codes
 - i. Reimbursement Rates
 - j. Voucher Tips
 - k. Computing In-Court Time
- 2 CJA 21, Authorization and Voucher for Expert and Other Services
 - a. Introduction
 - b. Forms
 - c. CJA 21
 - d. CJA 21sample
 - e. Instructions
 - f. CJA 25, Notice to CJA Panel Attorneys

January 7, 2008

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN
CJA REFERENCE MANUAL
CONTENTS

- 3 CJA 24, Authorization and Voucher for Payment of Transcript
 - a. Introduction
 - b. Forms
 - c. CJA 24
 - d. CJA 24 sample
 - e. Instructions
- 4 Motions for Claims in Excess of Statutory Maximum
 - a. Introduction
 - b. Suggested Elements for Claims in Excess of the Statutory Case Compensation Maximum
- 5 Public Access Systems
- 6 Paralegal Services
- 7 Miscellaneous Info
 - a. Computer Hardware and Software
 - b. Computer-Assisted Legal Research
 - c. Commercial Computer-Assisted Legal Research Services
 - d. Clothing for Indigent Prisoners
 - e. Witness Vouchers

<p style="text-align: center;">CJA FORM 20 APPOINTMENT OF AND AUTHORITY TO PAY COURT APPOINTED COUNSEL</p>
--

CJA 20:

Items 1-14 will be completed by the Clerk's Office (generated by the CJA Payment System).

You will receive only an original appointment form, signed by the Judge in block # 13. The court will require this form, with the original signature, be submitted. Your original signature will be required in block # 22.

Worksheets:

Be sure to keep time according to the categories on the forms. A reminder: you need not use the sample worksheets provided by the court, but you must break down the time (in tenths of hours) in accordance with the categories used on the sample.

Instructions:

You will not receive instructions with each new appointment so you should refer to these instructions if you have questions.

U.S. DISTRICT COURT

IN-COURT HOURLY WORKSHEET - CJA

CASE NUMBER:

[illegible]

SAMPLE WORKSHEET

U.S. DISTRICT COURT

CASE NUMBER:

[illegible]

SAMPLE WORKSHEET

U.S. DISTRICT COURT
EXPENSE WORKSHEET - CJA

CASE NUMBER:

[illegible]

SAMPLE WORKSHEET

U.S. DISTRICT COURT
IN-COURT HOURLY WORKSHEET - CJA

CASE NUMBER:

Date	Brief Description of Service Provided	Arraignment and/or Plea	Detention Hearings	Motion Hearings	Trial	Sentencing Hearings	Revocation Hearings	Other
09/15/06	Arraignment	0.3						
10/13/06	Motion hearing			1.8				
12/04/06	Sentencing	0.5				1.2		
	** other suggested entries **							
	Draw jury only (scheduled for 9 am;							
	actual start 9:30 due to delay in							
	court proceedings) (this entry would							
	cover extra 0.5 of in-court claim)							
	Trial, including jury deliberation							
	(would alert us that you have							
	correctly included waiting as							
	in-court time)							
	Page Total	0.8		1.8		1.2		
	TOTAL(S)	0.8		1.8		1.2		

SAMPLE WORKSHEET

U.S. DISTRICT COURT
OUT-OF-COURT HOURLY WORKSHEET - CJA

CASE NUMBER:

Date	Brief Description of Service Provided	Interviews Conferences	Obtain Review Records	Drafts Pleadings Legal Research Brief Writing	Travel Time	Investigative Other (e.g. letters)
07/20/06	Letter to client					0.2
07/20/06	Review order and file		0.3			
08/31/06	Conference w/client/travel	2.0			0.5	
09/09/06	Meet with USPO/travel	1.0			0.5	
10/02/06	Draft motions			1.0		
10/20/06	Meet with AUSA/travel	1.0			0.5	
11/14/06	Motion hearing/travel				0.5	
11/20/06	Conference w/client/travel	1.0			0.5	
12/06/06	Telephone w/client	0.2				
	Page Total	5.2	0.3	1.0	2.5	0.2
	TOTAL(S)	5.2	0.3	1.0	2.5	0.2

SAMPLE WORKSHEET

U.S. DISTRICT COURT
EXPENSE WORKSHEET - CJA

CASE NUMBER:

Date	Brief Description of Service/Expense	TRAVEL (Box 17):		OTHER (Box 18):			
		Mileage	Tolls	Copying CALR	Postage	Telephone (Toll Calls)	Miscellaneous
11/20/06	Postage				14.70		
11/21/06	Photocopies, 121 @ 10cents each			12.10			
02/05/07	Mileage - R/T to Janesville: 20 x 48.5 cents plus parking	9.70	1.00				
02/06/07	Photocopies, 65 @ 10cents each						
02/07/07	Mileage - R/T to Janesville: 20 x 48.5 cents plus parking	9.70	1.00				
02/08/07	Photocopies, 84 @ 10cents each			8.40			
02/08/07	Telephone					3.40	
	Page Total	19.40	2.00	20.50	14.70	3.40	-
	TOTAL(S)	Box 17:	21.40	Box 18:			38.60

SAMPLE WORKSHEET

CRIMINAL JUSTICE ACT VOUCHER (CJA 20) CHECKLIST

MORE THAN ONE VOUCHER REQUIRED?

If the same defendant is represented in more than one case, each CASE must have a separate voucher. Fees or expenses may not be duplicated. For example, a pretrial conference in both cases invoices .6 travel time, .3 would appear on each voucher, not .6.

If appointed for the same defendant in both a grand jury matter and a subsequent criminal case, separate vouchers must be submitted for each of those appointments.

REVIEW BILLING AND CHARGES

Is there any duplication of time if more than one attorney has worked on the case? If more than one attorney, is that time separately listed and the provider identified.

Are the charges allowable, reasonable and logical? For example, 3 hours travel time from Eau Claire to Madison. Note: logical travel time was not separated from interview/conference time.

DOUBLE-CHECK ENTRIES/SUPPORTING DOCUMENTS

Are figures in tenth hours?

Are all in-court hours claimed trial time, time with a judge (i.e., in chambers, in court, or by telephone), or time, when presence at the courthouse was required?

Is mileage properly recorded by listing the specific number of miles traveled by the rate in effect at the time of the travel?

Has the math been checked?

Are grand totals from each category properly transferred to the front of the voucher from the worksheet/bill?

Are dates listed on the worksheet/bill?

Are in-court hours and out-of-court hours totaled on the front of the voucher?

Are "travel" expenses separated from "other" expenses on the front of the voucher?

Are calculations totaled in boxes 15-18 and grand total line? (Insert "0" if no claim in a particular box)

If the voucher covers more than one reimbursement rate, is the proper addendum attached?

DOUBLE-CHECK ENTRIES/SUPPORTING DOCUMENTS (cont)

Are boxes 19-21 and all questions in box 22 answered?

Is the voucher signed and dated?

If the amount claimed exceeds the maximum statutory amount, is the Motion to Exceed attached?

Are supporting documents (i.e. receipts) attached for any expense in excess of \$50? If computer assisted legal research was used, are the appropriate statement and receipt attached?

PREPARE FOR MAILING

Review the CJA voucher to make sure all claim information boxes (15-18 and grand total) are completed. Make sure in-court, out-of-court, and expense worksheets/bills and any other required materials are attached.

Keep a signed copy of the CJA voucher and a copy of your backup material (worksheet/bill, receipts, etc.) and forward an **ORIGINALLY SIGNED** copy of the CJA voucher, with supporting material, to Mike Lieberman within 45 days of case disposition.

CASE COMPENSATION MAXIMUMS

Services Only, Excludes Expenses

See 18 U.S.C. § 3006A(d)(2) for an outline of the maximum compensation allowed for various types of representations.

Basically, the usual maximums allowed at the district court level are:

Felonies	\$ 7,000.00 *
Misdemeanors	\$ 2,000.00
All Others	\$ 1,500.00

Examples of "All Others" include probation violation, supervised release hearing, witness, grand jury target.

* Includes appointments under CAFRA (Civil Asset Forfeiture Reform Act 18 U.S.C. § 983 for non-capital habeas).

Amended through December 8, 2004.

CASE DISPOSITION CODES

COURT	TYPE OF DISPOSITION	CODE
District Court	Dismissed	01
	Acquitted by court, or government motion	02
	for judgment of acquittal granted	
	Acquitted by jury	03
	Convicted/final plea guilty	04
	Convicted/final plea nolo	05
	Convicted/court trial	08
	Convicted/jury trial	09
	Mistrial	CC
	Not Guilty/insane/court trial	EE
	Guilty/insane/court trial	FF
	Not Guilty/insane/jury trial	GG
	Guilty/insane/jury trial	HH
	Other (PTD matters, other representations and transfers)	XX
Appeals	Affirmed	AA
	Reversed	RR
	Remanded*	OO
	Reversed in Part/Affirmed in Part	RA
	Affirmed in Part/Reversed in Part	AR
	Dismissed	01
Probation/Parole/ Supervised Release	Revoked	RV
	Restored	RS
Habeas/Petitions/Writs	Granted	GR
	Denied	DE
Supreme Court	Any Disposition	XX

* Use remanded of the disposition at the circuit court requires further proceedings in the lower court (e.g., re-sentencing, new trial, etc.) although the appellate court's decision may reflect codes "RA" or "AR".

REIMBURSEMENT RATES

MILEAGE	
2/1/07 - present	48.5 cents/mile
1/1/06 - 1/31/07	44.5 cents/mile
9/1/05 - 12/31/05	48.5 cents/mile
2/4/05 - 8/31/05	40.5 cents/mile
1/1/04 - 2/3/05	37.5 cents/mile
1/1/03 - 12/31/03	36 cents/mile
1/21/02 - 12/31/02	36.5 cents/mile
1/22/01 - 1/20/02	34.5 cents/mile
1/14/00 - 1/21/01	32.5 cents/mile

COMPENSATION	
Time on or after 1/1/08 to present - same rate in - and out of court	\$100.00/hour
From 5/20/07 - 12/31/07 - same rate in - an out of court	\$94.00/hour
From 1/1/06 - 5/19/07 - same rate in - and out of court	\$92.00/hour
From 5/1/02 - 12/31/05 - same rate in - and out of court	\$90.00/hour
From 4/1/01 to 4/30/02	
In-court	\$75.00/hour
Out-of-court	\$55.00/hour
From 1/1/00 to 3/31/01	
In-court	\$70.00/hour
Out-of-court	\$50.00/hour

TIME INCREMENTS IN TENTHS	
6 minutes	0.10
12 minutes	0.20
18 minutes	0.30
24 minutes	0.40
30 minutes	0.50
36 minutes	0.60
42 minutes	0.70
48 minutes	0.80
54 minutes	0.90
60 minutes	1.00

VOUCHER TIPS

IN-COURT TIME

This is the time you are actually talking with a judicial officer. This may be in a courtroom, in chambers, or even by telephone. While the counsel voucher lists the more common occurrences such as arraignments, motion hearings, and trial, remember that pre-trial conferences, status conferences, or telephone conferences with the judge also qualify as in-court time.

In-court time may also be claimed for those occasions when counsel's presence at the courthouse is required. The rule of thumb is that if counsel is required to be here and cannot be at the office, the in-court rate will apply. If a hearing is scheduled for 9 a.m. and counsel reports for that time but the hearing does not start until 9:30 a.m., that half hour spent waiting for the proceeding may be counted as in-court time. An example of text to use regarding a delay related claim is listed on the sample in-court worksheet. If, however, counsel requests a continuance to 10 a.m. to confer with his/her client, that is not in-court time. The Court tries to allow fair compensation for those occasions when court is delayed due to circumstances beyond counsel's control.

Also, during trial or full-day hearings, counsel may claim in-court time from the start of the proceeding until adjournment each day. The Court allows this under the assumption that counsel will continue work on the case even during recesses and lunch breaks. Again, an example of text to use regarding a trial-related claim is provided on the sample in-court worksheet.

OUT-OF-COURT TIME

Time preparing vouchers cannot be claimed.

PARTNER/ASSOCIATE

When appointed counsel claims time for services furnished by a partner or associate, counsel must separately identify that person.

EXPENSES

Supporting documentation such as receipts or affidavits must be submitted for any expense in excess of \$50.

VOUCHER TIPS

REVIEW

Court policy requires that all vouchers be audited--checked for mathematical accuracy, inclusion of supporting documentation as required, and verification of claimed time--before the voucher is sent to the presiding judge for further review and action. A copy of the voucher and supporting materials should be kept by counsel in the event the reviewing official has an questions.

COMPUTING IN-COURT TIME

ARRAIGNMENT SCHEDULED BY NOTICE FOR 9 A.M.	
Attorney arrives for arraignment at 8:45 a.m. Arraignment commences at 9 a.m. Arraignment concludes at 9:10 a.m.	
CLAIM 0.2	10 minutes: arraignment - Court will round "up"

MOTION HEARING SCHEDULED BY NOTICE FOR 10 A.M.	
Attorney arrives for motion hearing at 10:00 a.m. Motion hearing delayed and finally commences at 10:30 a.m. Motion hearing concludes at 11:30 a.m.	
CLAIM 1.5	30 minutes: 10-10:30 a.m. - required to be here 60 minutes for the actual hearing

TRIAL SCHEDULED: JURY SELECTION AT 9:30 AM, EVIDENCE TO FOLLOW	
Attorney arrives early for trial at 9 a.m. to meet with client Jury selection set for 9:30 a.m. Jury selection delayed and finally commences at 10:30 a.m. Jury selection concludes at noon Court recesses at noon Evidence commences at 1:30 p.m. Trial concludes for the day at 4:30 p.m.	
CLAIM 7.0 - In CLAIM 0.5 - Out	7 hours of in-court time 30 minute meeting with client

<p style="text-align: center;">CJA FORM 21 AUTHORIZATION AND VOUCHER FOR EXPERT AND OTHER SERVICES</p>

CJA FORM 21:

Call the District Court Finance Office for a system generated form; the top portion will be complete.

608-261-5729 or
richard.reilly@wiwd.uscourts.gov

Unless the amount requested (for compensation, excluding travel and other expenses) is \$500 or more, you need not seek prior approval (but it is subject to subsequent review).

Paragraph 3.02 B of the Guidelines for the Administration of the Criminal Justice Act (CJA Guidelines), Volume VII, Guide to Judiciary Policies and Procedures provides:

Without Prior Authorization. Subsection (e)(2)(A) of the Act authorizes the obtaining of investigative, expert and other services, without prior authorization but subject to subsequent review, providing the cost of the services obtained does not exceed \$500 plus expenses reasonably incurred (but see paragraph 6.03 A regarding obtaining investigative, expert, and other services in capital cases). This \$500 limit may be waived however (see subsection (e)(2)(B) of the Act), if the presiding judge or United States magistrate judge (if the services were rendered in a case disposed of entirely before the United States magistrate judge) in the interest of justice, finds that timely procurement of necessary services could not await prior authorization.

For those services requiring prior approval (total compensation \$500 or more), you must submit a motion. In order to prevent the possibility that the disclosure of a request will cause a defendant to reveal his or her defense, these requests should be made by ex parte application.

When filing a completed claim, please include the Taxpayer Identification Number or Social Security Number of the Vendor so that 1099 forms can be accurate at year end.

Experts, too, must provide receipts or documentation for expenses in excess of \$50 along with supporting documentation, e.g., breakdown of time and expenses.

<p style="text-align: center;">CJA FORM 24 AUTHORIZATION AND VOUCHER FOR PAYMENT OF TRANSCRIPTS</p>
--

CJA FORM 24:

If you wish to seek authorization for preparation of a transcript, you may request a system-generated form from Rich Reilly in the Clerk's Office.

(608) 261-5729 or richard.reilly@wiwd.uscourts.gov

If a case is appealed, the Clerk's Office will print a CJA Form 24 and mail to counsel along with other material. Also, you may obtain a blank CJA Form 24 from the Court's website, www.wiwd.uscourts.gov.

Complete blocks 12-15 (ensure 1-11 are accurate) and return to:

Clerk's Office
U.S. District Court
P.O. Box 432
Madison, WI 53701

After the form is reviewed/approved by a judicial officer, the Clerk's Office will provide the form to the appropriate court or contract reporter for preparation of the transcripts and completion of the claims for services portion.

Once the reporter has prepared the transcript, it will be sent to the attorney. The clerk will certify, in block # 22, that the transcript was received as the original is always filed with the court. The form will then be referred to a judicial officer for approval of payment.

<p style="text-align: center;">MOTIONS FOR CLAIMS IN EXCESS OF STATUTORY MAXIMUM</p>

If the amount of the compensation claimed (compensation only, not expenses) exceeds the statutory maximum, a motion to exceed should accompany the voucher.

Remember that maximums apply per case/per defendant. If you replaced another CJA attorney, his/her claim must be added to your total as it relates to the maximum.

See Suggested Elements section of this guide for inclusions in the motion.

SUGGESTED ELEMENTS FOR A MOTION FOR COMPENSATION CLAIM IN EXCESS OF THE STATUTORY CASE COMPENSATION MAXIMUM

Reminder: The statutory maximum amount applies to fees for in- and out-of court time only, not the total of the voucher, which includes expenses.

Paragraph 2.22 C. (2) of the Guidelines for the Administration of the Criminal Justice Act (CJA Guidelines), Volume VII, Guide to Judiciary Policies and Procedures provides:

In any case in which the total compensation claimed is in excess of the statutory case compensation maximum, counsel shall submit with the voucher a detailed memorandum supporting and justifying counsel's claim that the representation given was in an extended or complex case and that the excess payment is necessary to provide fair compensation.

Paragraph 2.22 B. (3) of the CJA Guidelines states that a case is complex if the "legal or factual issues are unusual, thus requiring the expenditure of more time, skill, and effort by the lawyer than would normally be required in an average case". Additionally, the case is extended if more time is reasonably required for total processing than the average case.

Paragraph 2.22 B. (3) lists the following criteria as useful in determining fair compensation in extended or complex cases:

Responsibilities involved measured by the magnitude and importance of the case.

Manner in which duties were performed.

Knowledge, skill, efficiency, professionalism, and judgment required of and used by counsel.

Nature of counsel and injury thereto.

Any extraordinary pressure of time or other factors under which services were rendered.

Any other circumstances relevant and material to a determination of fair and reasonable fees.

To assist counsel, the following topics are provided for consideration. Some of these issues may not apply to a particular case or may not be noteworthy. Counsel, of course, may address topics other than those listed below:

Length of appointment to case; total number of in-court hours, specifying pre-trial hearings, trial, sentencing hearings, and other; and total number of out-of-court hours.

Offenses charged; number of counts charged; other pending cases of the defendant during the representation.

Number of co-defendants.

The sentencing guideline range found by the court and whether a mandatory minimum was found or at issue at sentencing.

Discovery materials (nature and volume) and/or discovery practices.

Motions, legal memoranda, jury instructions, and sentencing documents, or legal research not resulting in such, which were drafted originally for this case (do not include standardized motion, etc., unless content was modified significantly).

Investigation and case preparation (e.g., number and accessibility of witnesses interviewed, record collection, document organization).

Investigative, expert, or other services (CJA 21 voucher).

The following client considerations: communication with client/family, language difference, accessibility of client, other.

Any expense (see item 17, 18 of the CJA 20 voucher) greater than \$500.

Any other noteworthy circumstances regarding the case and the representation provided to support the compensation request. Include, if applicable:

Negotiations with the U.S. Attorney's Office or law enforcement agency.

Complexity or novelty of legal issues and factual complexity.

Responsibilities involved measured by the magnitude and importance of the case.

Manner in which duties were performed.

Knowledge, skill, efficiency, professionalism, and judgment required.

Nature of counsel's practice and hardship resulting from representation.

Extraordinary pressure of time or other factors under which services rendered.

<h2>PUBLIC ACCESS SYSTEMS</h2>

The court's docket may be accessed through PACER on the court's website:

<http://pacer.wiwd.uscourts.gov/>

You must first obtain a login/password from the PACER Service Center:

1-800-676-6856

<http://pacer.psc.uscourts.gov/register.html>

Exemption: There is \$.08 per page access fee for PACER. CJA Panel members who use PACER in connection with their CJA appointments can obtain an exempt login and password from the service center:

Fax or mail evidence of membership on the panel:

FAX: 210-301-6441

MAIL: Pacer Registration, P.O. Box 780549, San Antonio, TX 78278-0549

PARALEGAL SERVICES

Paralegal services may be claimed either on the CJA Form 20 or separately on a CJA Form 21. In either event, the amount claimed should not exceed the actual cost to the attorney (i.e. hourly salary and reasonable, reimbursable, non-overhead expenses) and the rate of compensation should not exceed the applicable CJA rate for the attorney's compensation.

If submitted on a CJA Form 20, Appointment of and Authority to Pay Court-Appointed Counsel

Any time spent by a paralegal should be included in "Other Expenses," Box 18 on the CJA 20, and identified as such on the worksheet.

As with other expenses, supporting detail must be furnished on an expense worksheet. If the amount exceeds \$50.00, an invoice for services (if outside paralegal is used) or a copy of an internal time billing statement if the paralegal is on staff.

If submitted on a CJA Form 21, Authorization and Voucher for Expert and Other Services

Please note that the Form 21 includes a box for paralegal services.

As with other "expert" services, no prior authorization is necessary if the total compensation claimed will be less than \$500.00.

If the paralegal is on staff and your firm will be reimbursed directly, your firm will be the service provider and the proceeds will be applied to the tax identification number of the firm.

COMPUTER HARDWARE AND SOFTWARE

Counsel may apply for use of CJA funds to acquire computer hardware or software costing more than \$500.00, or to obtain computer systems and automation litigation support personnel and experts whose services are expected to have a combined cost exceeding \$10,000.

Contact: Mike Lieberman, 608-260-9900, for assistance. Please note that all items purchased must be returned to the Community Defender Organization of Wisconsin upon completion of the case.

Reference Guide to Judiciary Policies and Procedures
Volume 7, Section A, Chapter 3, Paragraph 3.16

COMPUTER - ASSISTED LEGAL RESEARCH

The cost of use by appointed counsel of computer-assisted legal research equipment may be allowed as a reimbursable out-of-pocket expense provided that the total amount approved for computer assisted legal research does not exceed the total amount of attorney compensation that reasonable would have been approved if counsel had performed the research manually. Whenever appointed counsel incurs charges for computer-assisted legal research, counsel should attach to the compensation voucher the following:

- 1) Brief statement setting forth the issue or issues that were the subject matter of the research.
- 2) Estimate of the number of hours of attorney time that would have been required to do the research manually.
- 3) Copy of the bill and receipt for the use of the equipment or an explanation of the precise basis for the charge (e.g., including the extent to which it was derived by proration of monthly charges, or by charges identifiable to the specific research.

Claims for compensation for such services should be submitted on the CJA Form 20.

Reference Guide to Judiciary Policies and Procedures
Volume 7, Section A, Chapter 2, Paragraph 2.27(B)

COMMERCIAL COMPUTER - ASSISTED LEGAL RESEARCH

The court may authorize counsel to obtain computer assisted legal research services organization where the research is performed by employees of a commercial legal research firm or rather than by appointed counsel provided that the total amount charged for computer assisted legal research services does not exceed the total amount of attorney compensation that would reasonably be approved if the appointed counsel had performed the research manually. Requests by counsel for authority to obtain such services should include the following:

- 1) Brief explanation of the need for research services.
- 2) Estimate of the number of hours of attorney time that would have been required to do the research manually.

Claims for compensation for such services should be submitted on the CJA Form 21.

Reference Guide to Judiciary Policies and Procedures
Volume 7, Section A, Chapter 3, Paragraph 3.15

CLOTHING FOR INDIGENT PRISONERS

Expenses for items of a personal nature for the client are not reimbursable expenses. Court appointed counsel should not buy such items for a defendant and then claim reimbursement on the CJA 20.

Appropriate court attire is typically provided by the family of a defendant. However, if a prisoner is indigent and the family is unable to assist in this area, the U.S. Marshall will provide clothing for the trial based on available resources. Counsel should contact the Marshal's Office well in advance of the trial.

DEFENDANT AS WITNESS

If a defendant in a criminal case is going to appear as a witness in another hearing or trial, a separate counsel voucher (CJA 20) must be prepared by the court and court appointed counsel specifically assigned that task. Fees and expenses should be tracked separately from the case in which the witness is the defendant. The statutory maximum for such appointment falls in the "all others" category.

Contact: Mike Lieberman, 608-260-9900, immediately, if such an arrangement is made.